Amendments to the Claims:

The following is a complete claim set with status identifiers. Please substitute the pending claims with the following claim set:

1. (currently amended) An isolated amino acid sequence comprising an amino acid sequence selected from the group consisting of: ~~Babesia protein, characterised in that said protein comprises an amino acid sequence having a homology of at least 70% with the amino acid sequence from amino acid position 17 to position 180 in SEQ ID NO 2,~~
   (i) amino acids 17 to 180 of SEQ ID NO: 2,
   (ii) amino acids 17 to 180 of SEQ ID NO: 4, ~~or~~ and
   (iii) an immunogenic fragment of (i) or (ii) ~~of said protein;~~

wherein said sequence provides prophylactic or therapeutic treatment of an infection or its clinical signs caused by an organism of the family Babesiidae.

2. (currently amended) The sequence ~~Babesia protein~~ according to claim 1, ~~characterised in that said protein comprises an amino acid sequence having a homology of at least 70% with the amino acid sequence as depicted in~~ comprising SEQ ID NO 2[[,]] or an immunogenic fragment thereof ~~of said protein~~.

3. (currently amended) The sequence ~~Babesia protein~~ according to claim 1, ~~characterised in that said protein comprises an amino acid sequence having a homology of at least 70% with the amino acid sequence as depicted in~~ comprising SEQ ID NO 4[[,]] or an immunogenic fragment thereof ~~of said protein~~.

4. (currently amended) A nucleic ~~Nucleic~~ acid, ~~characterised in~~ that [[it]] encodes the sequence ~~protein~~ according to claim 1 ~~claims 1-3, or an immunogenic fragment of said protein~~.

5. (currently amended) The nucleic ~~Nucleic~~ acid according to claim 4, ~~characterised in that it comprises~~ comprising the nucleic acid of SEQ ID NO: 1.

6. (currently amended) The nucleic ~~Nucleic~~ acid according to claim 4~~, characterised in that it comprises~~ comprising ~~the nucleic acid of~~ SEQ ID NO: 3.

7. (currently amended) A cDNA fragment comprising [[a]] the nucleic acid according to claim 4 ~~claims 4-6~~.

8. (currently amended) A recombinant ~~Recombinant~~ DNA molecule comprising [[a]] the nucleic acid according to claim 4 ~~claims 4-6 or a cDNA fragment according to claim 7~~, under the control of a functionally linked promoter.

9. (currently amended) A live ~~Live~~ recombinant carrier comprising [[a]] the nucleic acid according to claim 4 ~~claims 4-6, a cDNA fragment according to claim 7 or a recombinant DNA molecule according to claim 8~~.

10. (currently amended) A host ~~Host~~ cell comprising [[a]] the nucleic acid according to claim 4 ~~claims 4-6, a cDNA fragment according to claim 7, a recombinant DNA molecule according to claim 8 or a live recombinant carrier according to claim 9~~.

11. (currently amended) A vaccine ~~Vaccine~~ comprising

i) [[a]] the sequence ~~protein~~ according to claim 1; ~~claims 1-3 or an immunogenic fragment of said protein, a nucleic acid according to claims 4-6, a cDNA fragment according to claim 7, a recombinant DNA molecule according to claim 8, a live recombinant carrier according to claim 9 or a host cell according to claim 10, or a combination thereof~~, and

ii) a pharmaceutically acceptable carrier.

12. (currently amended) The vaccine ~~Vaccine~~ according to claim 11, ~~characterised in that it comprises~~ further comprising an adjuvant.

13. (currently amended) The vaccine ~~Vaccine~~ according to claim 11, ~~claims 11-12, characterised in that it comprises~~ further comprising an additional immunoactive component or a nucleic acid encoding said additional immunoactive component.

14. (currently amended) The vaccine Vaccine according to claim 13, ~~characterised in that~~ wherein said additional immunoactive component or nucleic acid encoding said additional immunoactive component is obtained from an organism selected from the group consisting of *Ehrlichia canis*, *Babesia gibsoni*, *B. vogeli*, *B. rossi*, *Leishmania donovani*-complex, Canine parvovirus, Canine distempervirus, *Leptospira interrogans serovar canicola*, *Leptospira interrogans serovar icterohaemorrhagiae*, *Leptospira interrogans serovar pomona*, *Leptospira interrogans serovar grippotyphosa*, *Leptospira interrogans serovar bratislava*, Canine hepatitisvirus, Canine parainfluenzavirus, rabies virus, *Hepatozoon canis* and *Borrelia burgdorferi*.

15. (currently amended) A vaccine ~~Vaccine, characterised in that it comprises~~ comprising

i) an antibody against [[a]] the sequence ~~protein~~ according to claim 1 ~~claims 1-3 or an antibody against an immunogenic fragment of said protein, or a combination thereof~~, and

ii) a pharmaceutically acceptable carrier.

16. (currently amended) A method ~~Method~~ for the preparation of a vaccine ~~according to claims 11-14, said method~~ comprising the admixing of

i) ||a|| the sequence ~~protein~~ according to claim 1, ~~claims 1-3, or an immunogenic fragment of said protein, a nucleic acid according to claims 4-6, a cDNA fragment according to claim 7, a recombinant DNA molecule according to claim 8, a live recombinant carrier according to claim 9 or a host cell according to claim 10, or a combination thereof,~~ and

ii) a pharmaceutically acceptable carrier.

17. (currently amended) A method ~~Method~~ for the preparation of a vaccine ~~according to claim 15, said method~~ comprising the admixing of

i) an antibody against ||a|| the sequence ~~protein~~ according to claim 1 ~~claims 1-3 or an antibody against an immunogenic fragment of said protein~~ and

ii) a pharmaceutically acceptable carrier.

18. (currently amended) A method of prophylasis or treatment ~~Use of a protein according to claims 1-3 or an immunogenic fragment of said protein for the manufacture of a vaccine for prophylactic or therapeutic treatment~~ of an infection or its clinical signs caused by an organism of the family Babesiidae, comprising administering a vaccine comprising the sequence according to claim 1.

19. (currently amended) A diagnostic ~~Diagnostic~~ test for the detection of a nucleic acid associated with an organism of the family Babesiidae, ~~characterised in that the test comprises~~ comprising a nucleic acid sequence selected from the group consisting of:

(i) ~~a nucleic acid, said nucleic acid being at least 70 % homologous to the nucleic acid sequence depicted in~~ SEQ ID NO: 1 [[or 3, or]];

(ii) a fragment of SEQ ID NO: 1 at least 12 nucleotides long;

(iii) SEQ ID NO: 3;

(iv) a fragment of SEQ ID NO: 3 at least 12 nucleotides long; and

(v) a nucleic acid that is complementary to any of (i) through (iv) ~~said nucleic acid, wherein either of the nucleic acids have a~~ length of at least ~~12, preferably 15, more preferably 18~~ nucleotides.

20. (currently amended) A diagnostic ~~Diagnostic~~ test for the detection of antibodies against an organism of the family Babesiidae, ~~characterised~~ in that said test ~~comprises a protein~~ comprising the sequence according to claim 1 ~~claims 1-3, or an immunogenic fragment of said protein, or a combination thereof~~.

21. (currently amended) A diagnostic ~~Diagnostic~~ test for the detection of antigenic material from an organism of the family Babesiidae, ~~characterised in that said test comprises~~ comprising an

antibody against ~~a protein~~ the sequence according to claim 1 claims 1-3 ~~or an antibody against an immunogenic fragment of said protein, or a combination thereof~~.